

**SIXTY-SECOND DAY**

(Tuesday, May 11, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

**Absent—Excused**

Harrington

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Cole.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 174, A bill to be entitled "An Act providing for the payment of money to the surviving spouse and minor children of law enforcement officers who suffer death by physical violence while engaged in the direct

apprehension of a person during the course of the performance of his duties as a law enforcement officer; defining a law enforcement officer; providing for hearings before the Commissioners of the Texas Department of Public Safety; providing for appeals from decisions of the Commissioners of the Texas Department of Public Safety; providing that this act shall not apply to deaths occurring before the effective date of this act; and declaring an emergency."

H. B. No. 209, A bill to be entitled "An Act amending Section 1 of Chapter, 242, Acts of the 51st Legislature, 1949 (codified as Section 1 of Article 4624a, Vernon's Texas Civil Statutes) relating to partition or exchange of community property between husband and wife, by deleting provisions requiring approval of the transaction by the District Court in certain circumstances; and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to negotiate reciprocity agreements with other states relating to hunting and fishing license fees; and declaring an emergency."

H. B. No. 823, A bill to be entitled "An Act to authorize commissioners courts to provide a suitable place for holding elections held at county expense; amending Section 11, Texas Election Code; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Morning Call Dispensed With**

On motion of Senator Hardeman and by unanimous consent The Morning Call was dispensed with.

**House Bill 309 Re-referred**

On motion of Senator Krueger and by unanimous consent H. B. No. 309 was withdrawn from the Committee on Finance and was re-referred to the Committee on Game and Fish.

**Senate Bill 319 Re-referred**

On motion of Senator Moore and by unanimous consent S. B. No. 319 was withdrawn from the Committee on Finance and re-referred to the Committee on Education.

**Report of Standing Committee**

Senator Crump submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred S. B. No. 547, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CRUMP, Chairman.

**Senate Bill 547 Ordered Not Printed**

On motion of Senator Hardeman and by unanimous consent S. B. No. 547 was ordered not printed.

**Reports of Standing Committees**

Senator Ratliff submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 280, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 314, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was

referred S. B. No. 432, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 463, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Parkhouse submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 679, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1041, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 469, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee

Substitute adopted in lieu thereof do pass and be printed.

PARKHOUSE, Chairman.

C. S. S. B. No. 469 was read the first time.

Senator Colson submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 893, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLSON, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred S. B. No. 552, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Senator Ratliff submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 536, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

#### House Bill 1144 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1144, A bill to be entitled "An Act to transfer Four Million,

Five Hundred Thousand Dollars (\$4,500,000) from the "Operator's and Chauffeur's License Fund" to the General Revenue Fund, and declaring an emergency."

The bill was read second time and passed to third reading.

#### Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the passage of H. B. No. 1144 to third reading.

#### House Bill 1144 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 1144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

#### Nays—2

Parkhouse	Watson
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#### Absent—Excused

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hall
Cole	Hardeman
Colson	Hazlewood

Herring	Reagan
Hightower	Richter
Kazen	Rogers
Kennard	Schwartz
Krueger	Snelson
Moore	Spears
Patman	Strong
Ratliff	Word

Nays—2

Parkhouse                  Watson

Absent—Excused

Harrington

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1135, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and financing of the Nassau Bay Hospital District in Harris County; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Bill 6 with House Amendments

Senator Parkhouse called S. B. No. 6 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Committee Amendment 1

Amend Senate Bill No. 6 by striking all below the enacting clause and substituting in lieu thereof the following:

##### Subchapter A. General Provisions

Section 1. Short Title. This Act may be cited as the "Public School Purchasing Act."

Section 2. Definitions. In this Act, unless the context requires a different definition,

(A) "board" means a Texas public school board;

(B) "services" includes all services except professional services such as those performed by physicians, surgeons, lawyers, and architects;

(C) "lowest responsible bidder" means that whenever competitive bidding is required by this Act that the said Texas public school board shall award the contract to the lowest bidder who is fully capable of performing the contractual obligations.

Section 3. Purchasing. All Texas public school boards shall use competitive bidding on the purchase of all property and in contracting for services when the amount of the contract shall exceed \$5,000.00, subject to the following procedures and exceptions hereinafter set out.

##### Section 4. Regulations.

(A) Without regard to purchase price a board shall not be required to use competitive bidding when the said board needs real estate in a particular locality.

(B) A board shall not be required to use competitive bidding where it is undesirable or impossible to advertise for particular skills or special services, such as those performed by lawyers, physicians, surgeons, and architects.

(C) A board shall not be required to use competitive bidding when emergency conditions must be remedied or when it would be to the palpable disadvantage of the public school district to use competitive bidding.

Whenever a Texas public school board uses any one of the foregoing exceptions to the competitive bidding rule, the said board shall award any such contract or contracts for a limited period of time not to exceed two years and under such terms and conditions as to assure the maximum competition available under the circumstances. A board may adopt regulations implementing procedures provided for in this Act.

##### Subchapter B. Contract Purchasing Procedure for Contracts in Excess of Five Thousand Dollars (\$5,000.00), Except Construction.

Section 5. Notice. The board shall have a notice, inviting bids, published

at least once in at least one newspaper of general circulation in the school district, and at least seven days before the last day for the receipt of bids. The newspaper notice shall include a general description of the articles to be purchased, and shall state where bid blanks and specifications may be secured, and the time and place for opening bids.

Section 6. Bidders List. (a) The board may maintain a bidders list and may add or delete names from the list. The board shall send bid invitations to those who have expressed a desire to bid on particular types of items which are the subject of the bid invitations and may send bid invitations to any others.

(b) Use of the bidders list is not confined to contract purchases; it may be used by the board in making any purchase.

Section 7. Bid Deposits. (a) The board may prescribe that bidders make bid deposits in the amounts the board requires. Before a bidder must make a bid deposit, notice that bid deposits are required and of the amount of the deposits must be published in the newspaper notice and in the invitation to bid.

(b) The board shall maintain records of bid deposits and of the disposition of the deposits.

(c) When the bids are awarded or all bids rejected the board shall return the bid deposits to the unsuccessful bidders making bid deposits.

(d) The board may accept a bid deposit in the form of a bid bond from any bidder.

Section 8. Bid Opening Procedure. Bidders shall submit bids to the board sealed and identified as a bid on the envelope. The board shall publicly open the bids at the time and place stated in the newspaper notice and in the invitation to bid. After the bids are opened, the board shall make a tabulation of all bids received. The tabulation is open to public inspection at all reasonable times.

Section 9. Rejecting Bids. The board may reject all bids, or parts of bids, when the interest of the public will be served by doing so.

Section 10. Awarding a Contract.

(A) The board shall award contracts to the lowest responsible bidder.

(B) In determining who is the lowest responsible bidder, in addition to price, the board shall consider:

(1) The capability of the bidder to perform according to the terms of the contract;

(2) The ability of the bidder to provide future maintenance, repair parts, and service for the use of the subject of the contract;

(3) The expense and quality of performance of previous contracts of service.

Section 11. Bid Record. When an award is made, the board shall prepare a statement of the basis for placing the order with the successful bidder and shall file such statement with other papers relating to the transaction.

Section 12. Tie Bids. In case of tie bids, quality and service being equal, the contract shall be awarded according to regulations adopted by the boards.

#### Subchapter C. Open Market Purchase Procedure.

Section 13. Use of Open Market Procedure. When the board determines that a purchase of supplies, materials, equipment or services may be made most effectively in the open market, the purchase may be made without newspaper advertising.

Section 14. Minimum Number of Bids. All open market purchases shall, whenever possible, be based on at least three competitive bids, and shall be awarded to the lowest responsible bidder in accordance with the standards set out in Section 10 of this Act.

Section 15. Notice Inviting Bids. The board shall solicit bids by direct mail requests to prospective vendors or by telephone or telegraph.

Section 16. Recording. The board shall keep a record of all open market orders and bids submitted in competition on the orders, and a tabulation of the bids are open to public inspection at all reasonable times.

#### Subchapter D. Competitive Bidding Procedure on Construction Contracts in Excess of Five Thousand Dollars (\$5,000.00).

Section 17. Notice. Whenever possible on all construction contracts in excess of five thousand dollars (\$5,000.00) a public school board shall advertise in at least two newspapers of general circulation in the county

where the said contract is to be let, notice of the time, the place, the general description of the project, and where the bid documents may be obtained, once a week for at least three consecutive weeks prior to the opening of the bidding.

Section 18. Bid Bond. A school board may require a bid bond in any amount not to exceed five per cent (5%) of the amount of the bid. The obligation of the bid bond shall be clearly stated in the bid form and neither the contractor nor his surety shall be liable to the school board for an amount greater than the difference between the contractor's bid and the next lowest responsible bid. No other form of bid security shall be required.

Section 19. Irregularities in Bids. Irregularities or informalities in a bid shall be waived unless they materially affect the proposal, afford the bidder an advantage over the other bidders, or affect one or more of the elements in reaching a price figure the result of which would affect the amount of the bid; provided, however, any such irregularity which affects the amount of the bid or gives one bidder an advantage over the other bidders shall not be waived and the bid shall be rejected.

Section 20. Withdrawing Bids. Any bidder may withdraw his bid at any time before the time for the bids to be opened. After the bids are opened a bidder shall have the right to withdraw his bid when the following conditions exist:

(A) That he has made a clerical or mechanical error of a substantial nature; and

(B) That he has given timely notice upon the discovery of the mistake; and

(C) That the mistake relates to a material feature of the contract; and

(D) That it would be unconscionable to compel him to perform under such bid; and

(E) That he has refused to execute a contract.

Other circumstances, such as the acts and knowledge of the parties concerned, may also be valid reasons for a bidder to be released from his bid obligation.

Section 21. Awarding a Construction Contract. Whenever possible, all competitive bidding shall be based upon at least three competitive bids,

and shall be awarded to the lowest responsible bidder as defined herein.

Section 22. Performance Bonds. On all construction contracts in excess of two thousand dollars (\$2,000.00), the board shall require both payment and performance bonds as required by Article 5160 of Revised Civil Statutes of Texas.

Section 23. Liability. A contractor shall not be liable for defects in construction due to faulty plans, specifications and designs.

Section 24. Enforcement. In addition to existing remedies now afforded by law, the provisions of this Act may be enforced against a public school board or any officer, or employee thereof by means of a mandatory injunction filed in a district court of Travis County, Texas, upon the following conditions.

(A) That the application or petition be signed by at least twenty-five (25) taxpayers residing in the said school district; and

(B) That there is a violation of the provisions of this Act; and

(C) That the said public school board and/or its officers and/or employees have been notified in writing of any such violation or violations committed or about to be committed and afford anyone so accused a minimum period of two weeks to cease and desist in any such violation as well as to correct any action taken in violation hereof prior to filing any suit hereunder.

It shall not be necessary for any such applicants to show an immediate or irreparable injury or to be joined in such action by any District Attorney or the Attorney General of Texas to use this injunctive process.

Section 25. Voluntary Alternative Bids. Voluntary alternative bids that have not been publicly advertised as provided herein shall not be considered in the award of the contract.

#### Emergency Clause

Section 26. The need to protect the public against collusive contracts, to secure fair competition upon equal terms to all bidders; to remove not only collusion, but temptation for collusion and opportunity for gain at public expense; to close all avenues to favoritism and fraud in its various forms; to secure the best values for the public at the lowest possible expense; and to afford an equal advan-

tage to all desiring to do business with the public by affording an opportunity for an exact comparison of bids is of such importance, and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended.

#### Committee Amendment 2

Amend House Committee Amendment Number 1, of the printed bill, Senate Bill 6, by placing a semi-colon after the word "bidding" and by adding the following language at the end of line 59 of page 1: "or when the matter or subject involved is foods of a perishable nature."

#### Committee Amendment 3

Amend Committee Amendment No. 1, S. B. 6 as follows:

On line 60, page one, include the following:

(D) A board shall not be required to use competitive bidding for purchase of insurance for which rates and policies are promulgated by the State Board of Insurance.

#### Committee Amendment 4

Amend Committee Amendment No. 1, S. B. 6 as follows:

Amend line 2, page 2, as follows:

Change the period following the word "circumstances" to a semi-colon and add the following:

provided, however, that insurance policies may be purchased for periods not to exceed a term of five years.

#### Committee Amendment 5

Amend Committee Amendment No. 1 to Senate Bill No. 6 by deleting therefrom all of Section 23, and by re-numbering all subsequent sections in their proper numerical sequence.

#### Committee Amendment 6

Amend S. B. No. 6 as amended:

Sec. 4, Sub sec. C, line 58 of page 1:

Delete all of lines 58 and 59 after word "remedied" on line 58 and insert therein:

"or when it is necessary to match existing equipment, furniture or supplies."

The amendments were read.

Senator Parkhouse moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, Aikin, Hazlewood, Kazen, and Ratliff.

#### Report of Standing Committee

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,

May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 319, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

#### Senate Bill 319 Ordered Not Printed

On motion of Senator Moore and by unanimous consent S. B. No. 319 was ordered not printed.

#### Reports of Standing Committees

Senator Hazlewood by unanimous consent submitted the following reports:

Austin, Texas,

May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 348, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,

May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State

Affairs, to which was referred H. B. No. 937, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 721, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 146, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 549, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 418, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 179, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HAZLEWOOD, Chairman.

C. S. H. B. No. 179 was read the first time.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 866, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

#### Senate Rule 55 Suspended

Senator Hardeman moved that Senate Rule No. 55 relating to printing of enrolled bills be suspended on H. B. No. 12.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

#### Conference Committee Report on House Bill 12

Senator Hardeman submitted the following Conference Committee Report on H. B. No. 12:



Austin, Texas,  
May 10, 1965.

Hon. Preston Smith, Lieutenant Governor, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 12, have met and had the same under consideration, and beg to report back with the recommendation that it do pass in the form attached.

HARDEMAN  
AIKIN  
DIES  
MOORE  
WORD

On the part of the Senate.

HEATLY  
MUTSCHER  
PIPKIN  
SHANNON  
SLACK

On the part of the House.

The report was read and was adopted by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

#### Reports of Standing Committee

Senator Blanchard by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B.

No. 962, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 592, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 591, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BLANCHARD, Chairman.

#### Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 46, Relating to the study of the deaf by the Texas Legislative Council.

S. C. R. No. 85, Congratulating Miss Linda Sue Moorhead upon winning first place in the Junior Historian Writing Contest for 1964-1965, etc.

S. C. R. No. 86, Commending the Hedgecock Artificial Limb Company for the advances they have made in the design and quality of artificial limbs, etc.

S. C. R. No. 98, Requesting Governor to return S. B. No. 170 for further consideration and correction.

S. C. R. No. 99, Authorizing and directing the Enrolling and Engrossing Clerk of the Senate of Texas to make certain changes in S. B. No. 367.

S. C. R. No. 92, Directing the Senate Enrolling Clerk to delete certain language from S. J. R. No. 26.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 77 by non-record vote.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk House of Representatives

**House Bill 850 Re-referred**

On motion of Senator Herring and by unanimous consent H. B. No. 850 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Departments and Institutions.

**Reports of Standing Committees**

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,  
May 10, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 627, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 532, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 786, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 659, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RATLIFF, Chairman.

Senator Watson by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 850, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WATSON, Chairman.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House refused to concur in Senate amendments to H. J. R. No. 1 and has requested the appointment of a Conference Committee to consider the differences between the two Houses, Hale, Quillian, Smith, Peeler and Jones of Taylor.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk House of Representatives

**House Bill 659 Ordered Not Printed**

On motion of Senator Hazlewood and by unanimous consent H. B. No. 659 was ordered not printed.

**Senate Bills on First Reading**

The following local bills were introduced, read first time and referred to the committee indicated:

By Senator Schwartz:

S. B. No. 555, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools or such agency as may hereafter have control and management of said property to execute and deliver to the City of Galveston an easement to a tract of land in Galveston County for the purpose of installing, constructing, building, maintaining and operating, a package type sewer treatment plant on and over land owned by the State of Texas for the use and benefit of the Moody State School for Cerebral Palsied Children; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

(Senator Hardeman in the Chair.)

By Senator Hall:

S. B. No. 556, A bill to be entitled "An Act relating to the compensation of the official shorthand reporter of the 86th Judicial District; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Strong:

S. B. No. 557, A bill to be entitled "An Act permitting the commissioners courts of certain counties to use hospital operating funds for making permanent improvements to county hospitals and for paying hospital bonds; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Strong:

S. B. No. 558, A bill to be entitled "An Act repealing Sections 5 and 8, Chapter 46, Acts of the 56th Legislature, Regular Session, 1959, relating to hunting and fishing on Murvaul Lake in Panola County; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Rogers:

S. B. No. 559, A bill to be entitled "An Act relating to the organization and area of the Upper Red River Flood Control and Irrigation District; amending Sections 1, 2 and 3, Chapter

454, Acts of the 45th Legislature, Regular Session, 1937; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

**Senate Concurrent Resolution 100**

Senator Schwartz offered the following resolution:

S. C. R. No. 100, Commending Committees and requesting observance of Senior Citizens Month.

Whereas, Proclamations of both the President of the United States and the Governor of Texas have designated May 15, 1965, as Senior Citizens Month; and

Whereas, The number of Texans aged 65 and over comprise a segment of our population which is growing at a rate much faster than the general population because medical advances have greatly increased life expectancy; and

Whereas, More than 820,000 citizens of Texas are now 65 and over, and it is estimated that this figure will reach one million by 1970; and

Whereas, The state's population in this age bracket has increased 45 per cent in the last ten years, compared to the general population growth rate of only 24 per cent; and

Whereas, All Texans recognize the debt we owe these senior citizens for their contribution and sacrifice in building Texas from a rugged frontier empire into a great state; and

Whereas, It is important that our older citizens be included in the normal sphere of life and that their talents, abilities and experience be utilized in such a way as to continue their contributions to the growth and progress of the State of Texas; and

Whereas, The Governor's Committee on the Aging has worked diligently on a program for senior citizens and has developed comprehensive plans for year-round activities in this field as well as for observance of Senior Citizens Month; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Legislature urges all communities and citizens of Texas to join in the observance of Senior Citizens Month by appropriate ceremonies and activities; and be it further

Resolved, That we express appreciation and gratitude for the many contributions made by Texans aged 65

and over to the progress and prosperity of this state and assure them of our deep and sincere interest in their health, welfare and happiness.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent the resolution was considered immediately and was adopted.

#### Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1076, have had the same under consideration. and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

#### House Bill 1076 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 1076 was ordered not printed.

#### Senate Bill 385 on Second Reading

The Presiding Officer laid before the Senate as pending business on its second reading and passage to engrossment S. B. No. 385. (The bill having been read the second time on yesterday with an amendment by Senator Moore pending.)

Question—Shall the amendment by Senator Moore to S. B. No. 385 be adopted?

#### Senate Bill 319 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 319, A bill to be entitled "An Act amending Subsections (1), (2), (4), and (6) of Section 2 of Article XX of Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, and codified as Article 7083a; concerning the allocation of State moneys to the 'Blind Assistance Fund,' the 'Children's Assistance Fund,' the 'Old Age

Assistance Fund' and the 'Disabled Assistance Fund'; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 319 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 319 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

**Senate Bill 385 on Second Reading**

The Senate resumed the consideration of the pending business, same being S. B. No. 385 on its second reading with an amendment by Senator Moore pending.

Question—Shall the amendment by Senator Moore to S. B. No. 385 be adopted?

Senator Moore by unanimous consent withdrew the pending amendment.

Senator Strong offered the following amendment to the bill:

Amend S. B. 385 by inserting a new section to read as follows:

"Section 18a. Upon the approval and the establishment of Permian State College, there shall be created by the Board of Regents of such college branches, as follows:

Permian State College at Longview, to be located at Longview, Texas; Permian State College at Bastrop, to be located at Bastrop, Texas; Permian State College at Mineral Wells, to be located at Mineral Wells, Texas; Permian State College at Corsicana, to be located at Corsicana, Texas; each of which branches shall have the same curriculum and course offerings as the main branch."

The amendment was read.

Senator Snelson raised the Point of Order that the amendment by Senator Strong was not germane to the caption of the bill.

The Presiding Officer (Senator Hardeman in the Chair) sustained the Point of Order.

Question on the passage of S. B. No. 385 to engrossment, Yeas and Nays were demanded.

The bill was passed to engrossment by the following vote:

**Yeas—18**

Aikin	Patman
Bates	Ratliff
Blanchard	Reagan
Cole	Rogers
Crump	Schwartz
Hall	Snelson
Hardeman	Spears
Hightower	Watson
Krueger	Word

**Nays—12**

Calhoun	Colson
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Creighton	Kennard
Dies	Moore
Hazlewood	Parkhouse
Herring	Richter
Kazen	Strong

Absent—Excused

Harrington

**Bills and Resolutions Signed**

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 459, A bill to be entitled "An Act relating to the election of county-wide district trustees in certain counties; and declaring an emergency."

H. B. No. 570, A bill to be entitled "An Act authorizing and directing the Board of Texas State Hospitals and Special Schools to execute and deliver to the County of Angelina right-of-way easement to a tract of land in Angelina County for the construction and maintenance of a public road extending along and across certain State property owned by the State of Texas for the use and benefit of Lufkin State School; and declaring an emergency."

H. B. No. 818, A bill to be entitled "An Act relating to wild turkey in Austin County; repealing Chapter 355, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

H. B. No. 326, A bill to be entitled "An Act regulating the hunting of deer in Morris County; repealing Chapter 142, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 327, A bill to be entitled "An Act regulating the hunting of deer in Cass County; and declaring an emergency."

H. B. No. 41, A bill to be entitled "An Act relating to the establishment of four additional state schools for the mentally retarded; amending Sections 1, 2, and 3, Chapter 220, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act relating to the operation of vending stands and vending machines on state property by blind persons; etc., and declaring an emergency."

H. J. R. No. 79, Proposing an amendment to Article VIII, Constitution of the State of Texas, by adding Section 1 d to provide that all land designated for agricultural use shall be assessed for tax purposes on the consideration of only those factors relative to such agricultural use.

#### Reports of Standing Committees

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Transportation, to which was referred H. B. No. 318, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred S. B. No. 558, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 555, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to which was referred S. B. No. 556, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 557, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 332, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

RATLIFF, Chairman.

#### Senate Bill 555 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 555 was ordered not printed.

#### Senate Bill 556 Ordered Not Printed

On motion of Senator Hall and by unanimous consent S. B. No. 556 was ordered not printed.

#### House Bill 866 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 866 was ordered not printed.

#### House Bill 679 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 679 was ordered not printed.

#### Senate Bill 557 Ordered Not Printed

On motion of Senator Strong and by unanimous consent S. B. No. 557 was ordered not printed.

#### Senate Bill 558 Ordered Not Printed

On motion of Senator Strong and

by unanimous consent S. B. No. 558 was ordered not printed.

#### House Bill 850 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 850 was ordered not printed.

#### House Bill 786 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent H. B. No. 786 was ordered not printed.

#### House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 823, to the Committee on Privileges and Elections.

#### Recess

On motion of Senator Reagan the Senate at 12:07 o'clock p.m. took recess until 2:30 o'clock p.m. today.

#### After Recess

The President called the Senate to order at 2:30 o'clock p.m.

#### Senate Bill 560 on First Reading

The following local bill by unanimous consent was introduced, read first time and referred to the committee indicated:

By Senator Colson:

S. B. No. 560, A bill to be entitled "An Act validating Prairie View Municipal Utility District of Waller County, Texas, and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, Texas Constitution; defining its boundaries; validating governmental proceedings and acts; providing that such district shall use the ad valorem plan of taxation; providing that land may be excluded from and added to said district; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Bill 544 on Second Reading

Senator Aikin asked unanimous consent to suspend the regular order of business and take up S. B. No. 544 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up S. B. No. 544 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—21

Aikin	Krueger
Bates	Parkhouse
Blanchard	Patman
Cole	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Snelson
Hazlewood	Spears
Hightower	Word
Kennard	

#### Nays—5

Calhoun	Kazen
Creighton	Strong
Herring	

#### Absent

Colson	Schwartz
Moore	Watson

#### Absent—Excused

Harrington

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 544, A bill to be entitled "An Act creating and establishing Texarkana State College at Texarkana, Texas, as a coeducational institution of higher learning, providing that the organization, management and control of said College shall be vested in the Board of Regents of the State Teachers Colleges; etc.; and declaring an emergency."

The bill was read second time.

Senator Richter offered the following amendment to the bill:

Amend Senate Bill 544 by adding a new section to be known as Section 3A to read as follows:

This Act shall become effective only after approval by the Coordinating Board, created by House Bill No. 1 Acts Regular Session, 59th Legislature, 1965.

The amendment was read and was adopted.

Question on the passage of S. B. No. 544 to engrossment, Yeas and Nays were demanded.

The bill was passed to engrossment by the following vote:

**Yeas—17**

Aikin	Ratliff
Bates	Reagan
Cole	Rogers
Crump	Schwartz
Hall	Snelson
Hardeman	Spears
Hightower	Watson
Krueger	Word
Patman	

**Nays—12**

Blanchard	Herring
Calhoun	Kazen
Colson	Kennard
Creighton	Parkhouse
Dies	Richter
Hazlewood	Strong

**Absent**

Moore

**Absent—Excused**

Harrington

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 131, In memory of Honorable Ed J. Carpenter.

Respectfully submitted,

**DOROTHY HALLMAN,**  
Chief Clerk House of Representatives

**Reports of Standing Committee**

Senator Ratliff by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 559, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**RATLIFF, Chairman.**

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 542, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

**RATLIFF, Chairman.**

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 560, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**RATLIFF, Chairman.**

**House Concurrent Resolution 131  
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 131, In memory of State Representative Ed J. Carpenter.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

On motion of Senator Ratliff and by unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

**Reports of Standing Committees**

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 622, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**PARKHOUSE, Chairman.**



Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 536, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 231, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 143, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

CREIGHTON, Chairman.

C. S. H. B. No. 143 was read the first time.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 148, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 613, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 309, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 137, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 773, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Dies by unanimous consent submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred H. B. No. 365, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred H. B. No. 682, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred H. B. No. 823, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred H. B. No. 496, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to which was referred H. B. No. 902, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senate Bill 561 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Nays—1

Creighton

Absent—Excused

Harrington

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 561, A bill to be entitled "An Act relating to making an appropriation to the Texas Maritime Academy at Galveston; and declaring an emergency."

To the Committee on Finance.

Senate Bill 559 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent S. B. No. 559 was ordered not printed.

House Bill 622 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 622 was ordered not printed.

House Bill 231 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 231 was ordered not printed.

House Bill 823 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 823 was ordered not printed.

House Bill 902 Ordered Not Printed

On motion of Senator Strong and by unanimous consent H. B. No. 902 was ordered not printed.

**Senate Bill 560 Ordered Not Printed**

On motion of Senator Colson and by unanimous consent S. B. No. 560 was ordered not printed.

**House Bill 309 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 309 was ordered not printed.

**Conference Committee on House Bill 385**

Senator Watson called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 385 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 385: Senators Watson, Crump, Her-ring, Moore and Word.

**Committee Substitute Senate Bill 463 on Second Reading**

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 463, A bill to be entitled "An Act amending Article 484, Chapter 4, Revised Penal Code of the State of Texas, 1925, clarifying and enumerating persons permitted to bear firearms otherwise prohibited; and declaring an emergency."

The bill was read second time.

Senator Spears offered the following amendment to the bill:

Amend Committee Substitute to S. B. No. 463 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Short Title. This Act shall be known and may be cited as the 'Misuse of Firearms Act.'"

"Section 2. Definitions. As used in this Act, unless context clearly requires otherwise:

"(a) 'Firearms' means any instrument used in the propulsion of shot,

shell, projectile, or bullets by action of gunpowder, or by expansion of gases within the instrument.

"(b) 'Pistol' shall mean any firearm with a barrel less than twelve (12) inches in length.

"(c) 'Person' or 'persons' shall mean any individual, male or female.

"(d) 'Crime or violence' means murder, manslaughter, except negligent homicide arising out of traffic accidents; rape; mayhem; kidnapping; burglary; robbery; assault with a dangerous weapon; or assault with intent to commit any offense punishable by imprisonment for more than one (1) year.

"(e) 'Fugitive from justice' means any person who has fled or is fleeing from any peace officer or law enforcement officer to avoid prosecution or incarceration for a crime of violence or to avoid giving testimony in any criminal proceeding, or who has been formally charged with the commission of a crime under the laws of this state or any other state, or the laws of the United States of America.

"Section 3. Penalty for Committing Crime When Armed.

(a) If any person shall commit or attempt to commit a crime of violence when armed with a firearm, such person shall in addition to the penalty provided for the crime when committed without the use of a firearm, be punished by imprisonment in the penitentiary for a term of not less than two (2) years nor more than five (5) years.

"(b) If any person shall commit or attempt to commit a crime of violence when armed with any firearm, he may be punished upon second conviction by imprisonment in the penitentiary for a term of not less than five (5) years and not more than ten (10) years in addition to the punishment provided for the crime if committed without the use of a firearm.

"(c) If any person shall commit or attempt to commit a crime of violence when armed with any firearm, he may be punished upon third conviction by imprisonment in the penitentiary for life in addition to the punishment for the crime if committed without the use of a firearm.

"Section 4. Resisting Arrest by Firing on a Law Enforcement Officer.

(a) If any person shall resist lawful apprehension or arrest by assaulting with or firing with a firearm on a peace officer, he may, in addition to the punishment provided for the crime

for which the arrest was sought to be made, or was made, be punished by imprisonment in the penitentiary for a term of not less than two (2) years nor more than five (5) years.

"(b) If any person shall resist lawful apprehension or arrest by assaulting with or firing with a firearm on a peace officer, he may be punished upon second conviction by imprisonment in the penitentiary for a term of not less than five (5) years nor more than ten (10) years, in addition to the punishment provided for the crime for which the arrest was sought to be made, or was made.

"(c) If any person shall resist lawful apprehension or arrest by assaulting with or firing with a firearm on a peace officer, he may be punished upon third conviction by imprisonment in the penitentiary for life, in addition to the punishment provided for the crime for which the arrest was sought to be made, or was made.

**"Section 5. Possession by Certain Persons Prohibited.**

"(a) It shall be unlawful for any person who has been convicted of a crime of violence in a court of this state or any other state, territory, or the District of Columbia, and who has not had his civil rights restored (whether by official act or duration of time), or who is formally charged with a crime of violence, or who is a fugitive from justice, to have any firearm in his possession away from the premises upon which he lives. No person shall knowingly barter, sell, give, loan or trade any firearm to any person who shall have been adjudged by a court of competent jurisdiction to be a drug addict, habitual drunkard, or mentally incompetent and which judgment has not been reversed, vacated or nullified.

"(b) Any person violating any of the preceding provisions of this section shall be imprisoned in the penitentiary for not less than two (2) years nor more than five (5) years.

**"Section 6. Provision for Carrying Pistol.**

"(a) No person shall carry a pistol concealed on his person or readily available to him in a vehicle, except in his place of abode, fixed place of business, or on real property owned by him or to which he has legal rights of possession, without a license therefor as hereinafter provided in (b).

"(b) The sheriff of any county shall, within thirty (30) days after the filing of an application by any

person over twenty-one (21) years of age, issue a license, without describing any firearm, to such person to carry a pistol on his person within this State for not more than one (1) year from the date of issue, for the purposes of protection while engaged in a lawful occupation or business, sport or while traveling. Such citizen's constitutional right to bear arms shall not be denied to him, unless there exists a record of such applicant's prior final court conviction of a crime of violence or of drug addiction or of habitual drunkenness or of confinement to a mental institution from which he has received no pardon or which judgment has not been vacated. The license shall be in triplicate, in the form to be prescribed by the Texas Department of Public Safety, and shall bear the name, address, description and signature of the licensee and the reason given for desiring a license. The original thereof shall be delivered to the licensee, the duplicate shall within seven (7) days be sent by registered mail to the Texas Department of Public Safety and the triplicate shall be preserved for six (6) years by the authority issuing said license. The fee for such license shall be ten dollars (\$10.00), one dollar (\$1.00) of which shall go to the Texas Department of Public Safety, seven dollars (\$7.00) of which shall go to the General Revenue Fund, and two dollars (\$2.00) of which shall be retained by the issuing officer as his fee, provided he can lawfully accept a fee, if not, nine dollars (\$9.00) of the fee shall go to the General Revenue Fund.

"(c) The provisions of this section shall not apply to:

"(1) Peace officers of this state in the actual discharge of his official duty, or officers or employees of the Parks and Wildlife Commission authorized to carry such weapon in the actual discharge of his official duty.

"(2) Members of the army, navy, marine corps, of the United States or of the National Guard or organized federal reserve components when on active duty and/or in the actual discharge of his official duty,

"(3) Officers and/or employees of the United States government or of any other state or territory who is duly authorized to carry a concealed weapon and who is in the actual discharge of his official duty,

"(4) Regularly enrolled members of any organization authorized to pur-

chase such weapons from the United States or from this state or regularly enrolled members of clubs organized for the purpose of target shooting or modern and antique firearms collecting; provided however, that such members of said organizations or clubs are (a) at or going to or from their places of target practice, or (b) at or going to or from their collector's gun shows and exhibits.

"(5) Any person who, during or while going to or from a hunting camping or fishing trip, possesses such a weapon,

"(6) Any person engaged in the business of manufacturing, repairing or dealing in such firearms, or the agent, employee or representative of any such person, having in his possession, using, or carrying a pistol in the usual and ordinary course of such business,

"(7) Any person while carrying a pistol unloaded and in secure wrapper from the place of purchase to his house or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another, or

"(8) Persons traveling.

"(d) Any person who shall carry a pistol contrary to the provisions of this section shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by confinement in jail for not less than one (1) month nor more than one (1) year.

Section 7. Unlawful to Carry Certain Weapons. Any person who shall carry on or about his person, saddle or in his saddlebags, or in his portfolio or purse any dirk, dagger, slung shot, blackjack, hand chain, night stick, pipe stick, sword cane, spear, knuckles made of metal or any hard substance, bowie knife, switch blade knife, spring knife, throw blade knife, a knife with a blade over five and one-half (5½) inches in length, or any other knife or weapon manufactured or sold for the purposes of offense or defense, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or by confinement in jail for not less than one (1) month nor more than one (1) year. This section shall not apply to peace officers or to other persons authorized or permitted by law to carry

such weapons when in the actual discharge of his official duty.

"Section 8. Unlawful to Carry Weapons Into Assembly. If any person shall go into any church or any religious assembly, any schoolroom, ballroom, or other place where persons are assembled for amusement or for education or scientific purposes, or into any circus, show or public exhibition of any kind, or social gathering, or to any election on the day or days of any election where any portion of the people of this state are collected to vote at an election, or to any other place where people may be assembled to muster, consider, or perform any public activities or duties, and shall have or carry about his person any pistol or other firearm, dirk, dagger, slung shot, sword cane, spear, brass knuckle, bowie knife, or any other kind of a knife or weapon made and manufactured for the purpose of offense and defense, he shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or be confined in jail not less than thirty (30) days nor more than twelve (12) months, or both.

"This section shall not apply to peace officers in the actual discharge of his official duty, nor to those persons referred to in Section 6 (c) (1), (2), (3), or (4), nor other persons authorized or permitted by law to carry arms at the places therein designated, nor to public assemblies for the purpose of engaging in organized marksmanship programs or firearms instruction.

"Section 9. Unlawful To Have Possession of Weapons While Selling Narcotics. Whoever shall unlawfully carry on or about his person a pistol or any other weapon or firearm while possessing for the purpose of unlawful sale, furnishing or giving away any drug, narcotic, derivative or preparation or marijuana mentioned in Article 725b of the Penal Code of this State, shall be confined in the penitentiary for not less than one (1) year nor more than ten (10) years.

"Section 10. Sale of Certain Weapons Unlawful. Whoever shall knowingly sell, or offer for sale, give or barter, or cause to be sold, given or bartered to any person within this State, a switch blade knife, spring blade knife or throw blade knife, or knuckles made of metal or any hard substance shall be punished by a fine of not less than twenty-five dollars

(\$25.00) nor more than two hundred dollars (\$200.00) or be imprisoned in jail for a period of time not to exceed one (1) year or by both such fine and imprisonment.

"Section 11. Sale of Certain Weapons to Minors. Whoever shall knowingly sell, give or barter, or cause to be sold, given or bartered to any minor a pistol, dirk, dagger, slung shot, blackjack, hand chain, night stick, pipe stick, sword cane, spear, bowie knife or a knife with a blade over five and one-half (5½) inches in length, or any other weapon or other instrument made or manufactured for the purpose of offense and defense without the written consent of the parent or guardian of such minor, or of someone standing in lieu thereof, shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or be imprisoned in jail for a period of time not to exceed one (1) year or by both such fine and imprisonment.

"Section 12. Provisions for Machine Gun. 'Machine gun' applies to and includes a weapon of any description by whatever name known, loaded or unloaded, from which more than five (5) shots or bullets may be automatically discharged from a magazine by a single functioning of the firing device.

"'Person,' in this section, applies to and includes, firm, partnership, association, or corporation.

"Whoever shall possess or use a machine gun, as defined above shall be guilty of a felony and upon conviction thereof, shall be confined in the State Penitentiary for not less than two (2) years nor more than ten (10) years.

"Whoever shall sell, lease, give, barter, exchange or trade, or cause to be sold, leased, given, bartered, exchanged, or traded, a machine gun as herein defined to any person shall be guilty of a felony and upon conviction thereof, shall be confined in the State Penitentiary for not less than two (2) years nor more than ten (10) years.

"Nothing contained in this section shall prohibit or interfere with:

"(a) The possession of machine guns by the military forces or the peace officers of the United States or of any political subdivision thereof, or the transportation required for that purpose.

"(b) The possession of a machine gun for scientific purpose, or the possession of a machine gun not usable as a weapon and possessed as a curiosity, ornament, or keepsake.

"(c) The possession of machine guns by officials and employees of the Texas State Prison System.

"Nothing contained in this section shall prohibit or interfere with the sale, lease, barter, exchange or gift of a machine gun as defined in this Act, or the transportation required for such purpose to the Adjutant General of the State of Texas, the duly qualified and commissioned Sheriff of a county in Texas or his qualified deputies, to a duly qualified and commissioned Chief of Police of any municipality within the State of Texas, the duly authorized purchasing agent for the Texas State Prison System, the military forces or peace officers of the United States or of this state.

"Section 13. Act Not to Apply to Antique or Curio Weapons. Except for Sections 3 and 4, the provisions of this Act shall not apply to antique or curio firearms and pistols manufactured prior to 1898 and held as collector's items only, even though such firearm or pistol may have, as an integral part thereof, a folding knife blade or other characteristics of items prohibited by this section.

"Section 14. Repeal of Certain Acts. Acts 1957, 55th Legislature, p. 806, ch. 340, Sec. 1, being Article 483 of the Penal Code of Texas, 1925; Acts 1918, p. 194, being Article 484 of the Penal Code of Texas, 1925; Acts 1915, p. 132, being Article 485 of the Penal Code of Texas, Acts 1871, p. 25, Revision of 1879, being Article 486 of the Penal Code of Texas, 1925; Acts June 18, 1923, p. 164, being Article 488 of the Penal Code of Texas, 1925; Acts 1961, 57th Legislature, p. 558, ch. 261, Sec. 1, being Article 489 of the Penal Code of Texas, 1925; Acts 1933, 43rd Legislature, 1st Called Session, p. 219, ch. 82, being Article 489b of the Penal Code of Texas, 1925; Acts 1949, 51st Legislature, p. 1186, ch. 599, Sec. 1, as amended by Acts 1957, 55th Legislature, p. 50, ch. 28, Sec. 1, being Article 489c of the Penal Code of Texas, 1925; and Acts 1959, 56th Legislature, 3rd Called Session, p. 187, ch. 1, subparagraph (b) of paragraph (7). and being subparagraph (b) of paragraph (7) of Article 19.01 of 'Title 122A, Taxation

—General' of the Revised Civil Statutes of Texas, 1925, are hereby repealed.

"Section 15. All laws and parts of laws in conflict with this Act are hereby repealed.

"Section 16. If any part of this Act is for any reason declared void, such partial invalidity shall not affect the validity of the remaining portions of this Act.

"Section 17. The fact that the laws regarding firearms, pistols, dirks, daggers, slung shots, blackjacks, hand chains, night sticks, pipe sticks, sword canes, spears, knuckles made of any metal or any hard substance, bowie knives, switch blade knife, spring blade knife, throw blade knife, a knife with a blade over five and one-half (5½) inches in length or any other knife or weapon manufactured for the purposes of offense or defense, require amendment for the protection in the interest of public safety creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

On motion of Senator Spears and by unanimous consent the reading of the amendment was dispensed with and he explained the amendment.

(Pending discussion of the amendment by Senator Spears, Senator Moore occupied the Chair.)

(President in the Chair.)

On motion of Senator Hardeman the amendment was tabled.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 463, Sec. 1, by adding a new section to be numbered (10) to read as follows:

"Nor to persons carrying arms on one's own premises or place of business."

The amendment was read and was adopted.

On motion of Senator Reagan and by unanimous consent the caption was amended to conform to body of the bill as amended.

The bill as amended was passed to engrossment.

# Committee Substitute Senate Bill 463 On Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 463 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Creighton	Richter
Crump	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

## Absent

Dies

## Absent—Excused

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Hardeman	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

## Nays—1

Ratliff

## Absent—Excused

Harrington

**House Bill 773 Ordered Not Printed**

On motion of Senator Creighton and by unanimous consent H. B. No. 773 was ordered not printed.

**House Bill 613 Ordered Not Printed**

On motion of Senator Crump and by unanimous consent H. B. No. 613 was ordered not printed.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 538, A bill to be entitled "An Act requiring that new passenger cars be equipped with approved seat belts; regulating the sale of seat belts; prescribing a penalty; amending Chapter 421, Acts of the 50th Legislature, 1950, as amended, by adding Sections 132A and 132B; and declaring an emergency."

H. B. No. 455, A bill to be entitled "An Act amending Section 5a of Chapter 68, Acts of the 48th Legislature, Regular Session, 1943, as amended (compiled as Article 5172a of Vernon's Texas Civil Statutes), providing an exception under the prescribed wages for overtime labor for certain female employees; and declaring an emergency."

H. B. No. 211, A bill to be entitled "An Act abolishing the power to enter into common law marriages in this state; recognizing common law marriages consummated in other states; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Reports of Standing Committees**

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 355, have had the same under consideration, and we are instructed to

report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 587, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

**Bills and Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 1144, An Act to transfer Four Million, Five Hundred Thousand Dollars (\$4,500,000) from the "Operator's and Chauffeur's License Fund" to the General Revenue Fund, and declaring an emergency.

Signed subject to provisions of Section 49A of Article III of the Constitution of the State of Texas.

H. C. R. No. 116, Authorizing Enrolling Clerk of the House to insert certain words in H. B. No. 714.

H. B. No. 102, A bill to be entitled "An Act transferring the supervision of the Historical State Battlegrounds, of San Jacinto Battleground and Fannin State Battleground now under the advice and consent of the State Board of Control, under the control and custody of the Parks and Wildlife Commission, under the authority conferred upon the Parks and Wildlife Department by existing laws; etc.; and declaring an emergency."

H. B. No. 33, A bill to be entitled "An Act making it unlawful to knowingly make or cause to be made certain false statements in relation to real and personal property transactions, increasing the penalties for violations and providing for enhancement of punishment for subsequent violations; amending Chapter 168, General Laws, Acts of the 39th Legislature, Regular Session, 1925; and declaring an emergency."



H. B. No. 714, A bill to be entitled "An Act relating to temporary registration permits for trucks, trailers, and similar vehicles to expedite and facilitate the harvesting and marketing of cotton; amending Section 2A, Chapter 18, Acts of the 41st Legislature, 5th Called Session, 1930, as amended; and declaring an emergency."

#### House Bill on First Reading

The following bill received from the House was read the first time and referred to the committee indicated:

H. B. No. 1135, To the Committee on Counties, Cities and Towns.

#### Senate Bill 533 Re-referred

On motion of Senator Moore and by unanimous consent S. B. No. 533 was withdrawn from the Committee on Finance and re-referred to the Committee on Education.

#### Senate Bill 442 on Second Reading

On motion of Senator Strong and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 442, A bill to be entitled "An Act amending Title 102, Oil and Gas, Revised Civil Statutes of Texas, 1925, by adding thereto a new Article to be known as Article 6036c, relating to penalties for certain false applications, reports, or other documents filed with the Railroad Commission of Texas under Title 102; etc.; and declaring an emergency."

The bill was read the second time.

Senator Strong offered the following Committee Amendment to the bill:

Amend Senate Bill 442 by deleting from Section 1 the paragraph which reads:

"Provided that if any penalties prescribed elsewhere in this Title overlap as to offenses which are also punishable under this Article, then the penalties prescribed by this Article shall apply and control all other penalties," and substitute in lieu thereof the following:

"Provided that if any penalties prescribed elsewhere in this Title overlap as to offenses which are also punishable under this Article, then the penalties prescribed by this Article

shall be in addition to such other penalties."

The Committee Amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### Senate Bill 442 on Third Reading

Senator Strong moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 442 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent—Excused

Harrington

**Reports of Standing Committees**

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 533, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 635, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

RATLIFF, Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 903, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

**Bills and Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. J. R. No. 26, Proposing an amendment to Sections 4 and 5 of Article V of the Constitution of the State of Texas to provide for a Court of Criminal Appeals of five members; prescribing their qualifications; elections, appointment, tenure of office

and compensation; and prescribing the term of court of said Court.

S. B. No. 147, A bill to be entitled "An Act relating to murder by arson amending Article 1325, Vernon's Penal Code (O. C. 707), to provide for a punishment where death by arson or wilful burning is occasioned without malice aforethought; providing for severability; and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to acquire by gift certain properties in Bexar County, Texas; and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act amending Acts of the Fifty-Fourth Legislature, 1955, Chapter 257, page 715, codified as Article 4494 N, Vernon's Civil Statutes of Texas, as amended by Acts of the Fifty-Sixth Legislature, 1959, Chapter 271, page 587, by adding thereto another Section, Section 2a, authorizing the assessor and collector of taxes for Bexar County, to collect taxes for the Bexar County Hospital District and to assess taxes at a greater value than that assessed for County and State purposes; etc., and declaring an emergency."

S. B. No. 187, A bill to be entitled "An Act conferring upon the Board of Regents of The University of Texas the power of eminent domain to acquire land for the use of The University of Texas System; exempting said Board from depositing a bond as provided in Section 2 of Article 3286, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act to amend Paragraphs or Sections 4, 5, 6, 7, 8 and 10 of Subdivision A, Part I of Article 3.39 of the Insurance Code to authorize investment by a life insurance company in certain securities; etc., and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act to amend Section 5 of Chapter 282, Acts 41st Legislature, 1929, Regular Session, as amended (codified as Article 2603a Vernon's Civil Statutes of Texas), so as to provide for the acquiring, constructing and equipping of a building in the City of

Midland, Texas, or adjacent area to house certain administrative staff offices of The University of Texas; and declaring an emergency."

S. B. No. 388, A bill to be entitled "An Act amending Section 2 of Chapter 6, Acts of the 43rd Legislature, First Called Session, 1933 (codified in Vernon's as Section 2 of Article 2654b-1, Vernon's Civil Statutes); providing for the issuance of scholarships to the highest ranking graduate of each accredited high school of this State by the governing boards of the several institutions of collegiate rank supported in whole or in part by public funds appropriated from the State Treasury; making other provisions relating thereto; and declaring an emergency."

S. B. No. 183, A bill to be entitled "An Act amending Section 1 of Senate Bill 419, Acts 58th Legislature, Regular Session, 1963, Chapter 157, Page 443-444, by amending Section 1 of Article 3.71 of the Insurance Code of the State of Texas as contained therein to provide that two or more insurance companies are authorized to join together in organizations to offer, sell and administer hospital, surgical and medical insurance plans under a group policy covering residents of Texas sixty-five years of age and older and their spouses; etc.; and declaring an emergency."

S. B. No. 200, A bill to be entitled "An Act amending chapters five and six of House Bill No. 29, Acts 58th Legislature, 1963, Chapter 113, page 269, et seq., by deleting sub-sections (1), (2) and (3) of Section 5.05; by adding thereto a new section, numbered 5.17, authorizing savings and loan associations to contract for and receive an interest charge not to exceed nine dollars per one hundred dollars per annum; etc.; and declaring an emergency."

#### **Committee Substitute Senate Bill 314 on Second Reading**

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 314, A bill to be entitled "An Act making appropriations for and directing payment of certain

miscellaneous claims and judgments out of the General Revenue Fund and the other funds designated herein; requiring approval of the claims in the manner specified in the Act before payment is made; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### **Committee Substitute Senate Bill 314 on Third Reading**

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 314 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### **Yeas—27**

Aikin	Moore
Bates	Parkhouse
Calhoun	Patman
Cole	Ratliff
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Herring	Spears
Hightower	Strong
Kazen	Watson
Kennard	Word
Krueger	

#### **Nays—2**

Blanchard	Hardeman
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#### **Absent**

Hazlewood

#### **Absent—Excused**

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **Record of Votes**

Senators Blanchard, Dies and Hardeman asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 314.

#### **Senate Bill 166 on Second Reading**

Senator Spears asked unanimous consent to suspend the regular or-

der of business and take up S. B. No. 166 for consideration at this time.

There was objection.

Senator Spears then moved to suspend the regular order of business and take up S. B. No. 166 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—22

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Patman
Cole	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Herring	Spears
Hightower	Watson

#### Nays—7

Colson	Ratliff
Hardeman	Strong
Moore	Word
Parkhouse	

#### Absent

Hazlewood

#### Absent—Excused

Harrington

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 166, A bill to be entitled "An Act to recognize HemisFair 1968; to provide State support and participation therein; to provide a permanent structure therein for post-fair use by the State of Texas; appropriating \$7,500,000 for these purposes; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Record of Votes

Senators Moore, Word, Hightower, Hardeman, Bates, Parkhouse, Blanchard, Strong and Colson asked to be recorded as voting "Nay" on the passage of S. B. No. 166 to engrossment.

#### Senate Bill 166 on Third Reading

Senator Spears moved that the

Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—24

Aikin	Krueger
Bates	Patman
Calhoun	Ratliff
Cole	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Herring	Spears
Hightower	Strong
Kazen	Watson
Kennard	Word

#### Nays—5

Blanchard	Moore
Colson	Parkhouse
Hardeman	

#### Absent

Hazlewood

#### Absent—Excused

Harrington

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Moore, Hardeman, Colson, Ratliff, Parkhouse, Word, Hightower, Dies, Strong and Blanchard asked to be recorded as voting "Nay" on the final passage of S. B. No. 166.

#### Reason for Vote

I voted against S. B. 166 because, in my opinion, it violates the Constitution by attempting to do indirectly that which cannot be done legally, directly.

#### HARDEMAN

#### Committee Substitute Senate Bill 395 on Second Reading

Senator Creighton asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 395 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business and take up C. S. S. B. No. 395 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—20

Aikin	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Crump	Richter
Herring	Spears
Hightower	Strong
Kazen	Word

## Nays—7

Bates	Schwartz
Dies	Snelson
Hardeman	Watson
Rogers	

## Absent

Hall	Ratliff
Hazlewood	

## Absent—Excused

Harrington

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 395, A bill to be entitled "An Act to amend Chapter 28 of the Acts of the First Called Session of the Forty-second Legislature by amending Section 8aa to provide that operators of crude oil gathering systems by pipe line or truck who purchase crude oil shall be common purchasers thereof and purchase without discrimination; adding Section 8aaa to authorize regulation by the Commission of gathering systems for crude petroleum by pipe line or truck and to prohibit purchase of crude petroleum by persons operating such systems unless they are common purchasers and subject to Commission regulation; amending Section 11d to authorize the Commission to compel common purchasers to ratably purchase to prevent discrimination and to purchase the allowable production of any producer discriminated against and to authorize show cause orders by the Commission in such instances; providing that none of the provisions of this act shall increase or decrease the duties or responsibilities of any purchaser, gatherer or transporter of

natural gas, residue gas or casing-head gas; providing severability; providing that this action shall be cumulative of all other laws now in force; and declaring an emergency."

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Amend the Committee Substitute to S. B. 395 by striking out Section 4 thereof and substituting therefor the following:

"Section 4. That Chapter 28 of the Acts of the First Called Session of the Forty-Second Legislature, which is codified as Article 6049a, Revised Civil Statutes, 1925, as amended, is amended by adding a new Section 11dd, which new section shall hereafter read as follows:

"Section 11dd. Notwithstanding the provisions of any statute or law, including Article 6049a, Revised Civil Statutes, 1925, as amended, none of the provisions of this Act shall increase or decrease the duties or responsibilities of any common purchaser, gatherer or transporter of natural gas, residue gas, or casinghead gas."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Committee Substitute to S. B. 395 by changing the period at the end of Section 6 thereof to a comma and by adding the following language: "except as provided in Section 4 hereof."

The amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Record of Votes

Senators Snelson, Rogers, Harde-man, Dies, Schwartz, Parkhouse, Calhoun and Watson asked to be recorded as voting "Nay" on the passage of C. S. S. B. No. 395 to engrossment.

**Motion to Place Committee Substitute Senate Bill 395 on Third Reading**

Senator Creighton moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 395 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—19**

Aikin	Kazen
Calhoun	Kennard
Colson	Krueger
Creighton	Moore
Crump	Patman
Dies	Reagan
Hall	Richter
Hazlewood	Spears
Herring	Strong
Hightower	

**Nays—10**

Bates	Rogers
Blanchard	Schwartz
Cole	Snelson
Hardeman	Watson
Parkhouse	Word

**Absent**

Ratliff

**Absent—Excused**

Harrington

**Senate Bill 533 Ordered Not Printed**

On motion of Senator Moore and by unanimous consent S. B. No. 533 was ordered not printed.

**Motion to Place Senate Bill 49 on Second Reading**

Senator Crump asked unanimous consent to suspend the regular order of business to take up for consideration S. B. No. 49.

There was objection.

**Motion to Place Senate Bill 533 on Second Reading**

Senator Moore asked unanimous consent to suspend the regular order of business to take up for consideration S. B. No. 533.

There was objection.

**Memorial Resolutions**

S. R. No. 647—By Senator Watson: Memorial resolution for Weldon Starr.

S. R. No. 648—By Senator Watson: Memorial resolution for Reverend Jefferson Davis Coleman.

S. R. No. 649—By Senator Watson: Memorial resolution for Mrs. Charles Story Smedley.

S. R. No. 650—By Senator Watson: Memorial resolution for D. M. Hamilton.

**Welcome and Congratulatory Resolutions**

S. R. No. 646—By Senator Watson: Extending welcome to Foreign Students, their Instructors and Sponsors at James Connally Air Force Base at Waco.

S. R. No. 651—By Senator Watson: Extending welcome to E. L. Connally, et al.

S. R. No. 652—By Senator Watson: Extending welcome to Dr. Hermon Gerdes of Waco.

S. R. No. 653—By Senator Watson: Extending welcome to Dr. Robert Elker of Belton.

S. R. No. 654—By Senator Herring: Extending welcome to third and fourth grade students and teachers from Barton Hills Elementary School in Austin.

S. R. No. 655—By Senator Kazen: Extending welcome to students, teachers and sponsors of the Eighth Grade Class of Our Lady of Guadalupe School of Laredo.

S. R. No. 656—By Senator Watson: Extending welcome to Joe W. Alexander of Waco.

S. R. No. 657—By Senator Crump: Extending welcome to students and teacher of Burnet Junior High School.

S. R. No. 658—By Senator Moore: Congratulating and commending Joe H. Tonahill of Jasper County.

S. R. No. 659—By Senator Watson: Extending welcome to Ralph Nichols of Rockdale.

S. R. No. 660—By Senator Watson: Extending welcome to Jack Dillard of Waco.

S. R. No. 661—By Senator Watson: Extending welcome to George Vowell of McGregor.

### Adjournment

Senator Kazen moved that the Senate stand adjourned until 10:30 o'clock a.m. tomorrow.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion to adjourn prevailed by the following vote:

#### Yeas—15

Bates	Krueger
Blanchard	Patman
Calhoun	Reagan
Cole	Rogers
Colson	Schwartz
Hall	Spears
Kazen	Watson
Kennard	

#### Nays—14

Aikin	Hightower
Creighton	Moore
Crumph	Parkhouse
Dies	Richter
Hardeman	Snelson
Hazlewood	Strong
Herring	Word

#### Absent

Ratliff

#### Absent—Excused

Harrington

Accordingly, the Senate at 4:50 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

## APPENDIX

### Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 147, An Act relating to murder by arson and wilful burning;

amending Article 1325, Vernon's Penal Code (O. C. 707), to provide for a punishment where death by arson or wilful burning is occasioned without malice aforethought; providing for severability; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 450, An Act authorizing the Board of Regents of The University of Texas to acquire by gift certain properties in Bexar County, Texas; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 209, An Act amending Acts of the 54th Legislature, 1955, Chapter 257, page 715, codified as Article 4494n, Vernon's Civil Statutes of Texas, as amended by Acts of the 56th Legislature, 1959, Chapter 271, page 587, by adding thereto another Section, Section 2a, authorizing the Assessor and Collector of Taxes in all counties which contain a population of 450,000 or more, according to the last preceding Federal Census, upon the order of the Commissioners Court of the county, to assess property for the Hospital District at a greater percentage of its fair cash market value than the percentage used in assessing for county and state purposes, and to deduct fees not exceeding one and one-half per cent (1½%) of the amounts assessed and one and one-half per cent (1½%) of the amounts collected; providing for an election in said counties to approve such procedure; providing a severability clause; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 187, An Act conferring upon the Board of Regents of The University of Texas the power of eminent domain to acquire land for the use of The University of Texas System; exempting said Board from depositing a bond as provided in Section 2 of Article 3268, Revised Civil Statutes of Texas of 1925; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 266, An Act to amend Paragraphs or Sections 4, 5, 6, 7, 8, 10, and 11 of Subdivision A, Part I of Article 3.39 of the Insurance Code, relating to authorized investments by a life insurance company in certain securities; to amend Paragraph or Section 15 of said Subdivision A, Part I of Article 3.39 of the Insurance Code to authorize investments by a life insurance company in securities not otherwise specified or qualified by Chapter 3 of the Insurance Code; to amend Paragraph or Section 3 of Subdivision C, Part I of Article 3.39 of the Insurance Code relating to limitations on investments by a life insurance company in capital stock of corporations; to amend Paragraph or Section 1 of Subdivision B, Part II of Article 3.39 of the Insurance Code relating to investment by a life insurance company in certain securities issued by certain types of corporations; repealing conflicting laws and parts of laws to the extent of such conflict; providing for severability; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 241, An Act to amend Section 5 of Chapter 282, Acts 41st Legislature, 1929, Regular Session, as amended (codified as Article 2603a, Vernon's Civil Statutes of Texas), so as to provide for the acquiring, constructing and equipping of a building in the City of Midland, Texas, or adjacent area to house certain administrative staff offices of The University of Texas; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 388, An Act amending Section 2 of Chapter 6, Acts of the 43rd Legislature, First Called Session, 1933 (codified in Vernon's as Section 2 of Article 2654b-1, Vernon's Civil Statutes); providing for the issuance of scholarships to the highest ranking graduate of each accredited high school of this state by the governing boards of the several institutions of collegiate rank supported in whole or in part by public funds appropriated from the State Treasury; making other provisions relating thereto; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 183, An Act amending



Section 1 of Senate Bill 419, Acts 58th Legislature, Regular Session, 1963, Chapter 157, Page 443-444, by amending Section 1 of Article 3.71 of the Insurance Code of the State of Texas as contained therein to provide that two or more insurance companies are authorized to join together in organizations to offer, sell and administer hospital, surgical and medical insurance plans under a group policy covering residents of Texas sixty-five (65) years of age and older and their spouses; validating unincorporated associations, trusts and other associations heretofore formed; and providing that all persons licensed under Articles 21.07, 21.07-1, and 21.14 of the Insurance Code of the State of Texas be authorized to act on behalf of such organizations without the necessity of notifying the State Board of Insurance; providing a severability clause; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 200, An Act amending Chapters Five and Six of House Bill No. 29, Acts 58th Legislature, 1963, Chapter 113, Page 269, et seq., by deleting subsections (1), (2) and (3) of Section 5.05; by amending Section 6.08 thereof to specify how payments may be made on savings accounts in two or more names; and declaring an emergency.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 11, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. J. R. No. 26, Proposing an amendment to Sections 4 and 5 of Article V of the Constitution of the State of Texas to provide for a Court of Criminal Appeals of five members; prescribing their qualifications; elec-

tions, appointments, tenure of office and compensation; and prescribing the term of court of said court.

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to the Governor

May 11, 1965

S. C. R. No. 46  
S. C. R. No. 85  
S. C. R. No. 86  
S. C. R. No. 92  
S. C. R. No. 98  
S. C. R. No. 99

### SIXTY-THIRD DAY

(Wednesday, May 12, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### Reports of Standing Committees

Senator Parkhouse submitted the following report:

Austin, Texas,  
May 12, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water